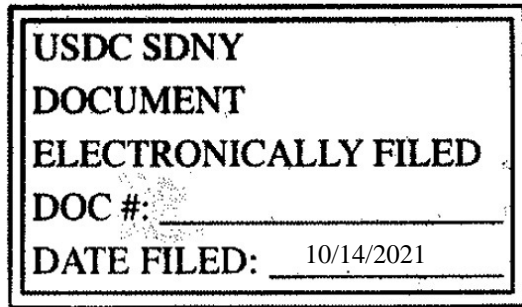


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA, :  
:  
-v- :  
:  
Argenis Adames, :  
:  
Defendant. :  
:  
-----X



15-CR-796 (VSB)

**ORDER**

VERNON S. BRODERICK, United States District Judge:

I am in receipt of Defendant Argenis Adames’s letter motion dated September 13, 2021 (“Def.’s Letter,” Doc. 255), seeking a recommendation from this Court to the United States Bureau of Prisons (the “BOP”) that Defendant’s federal sentence be concurrent with his state court sentences. The Government does not oppose this motion. (Doc. 257.)

At the time Defendant was sentenced on his federal charges, the state charges against him in New Jersey and New York were still pending. When discussing whether or not the sentence I was going to impose would be consecutive or concurrent with Defendant’s future state sentences, I stated that I would “let the state court judges make their decisions” as to this issue. (Doc. 158 at 65.) Subsequently, the New Jersey state court judge determined that Defendant’s sentence in that state would run concurrently with his federal sentence. (*See* Def.’s Letter, Ex. C.) Although the New York state court judge did not directly address the issue, Defendant argues that the New York state sentence should also be deemed concurrent with his federal sentence, citing to New York Penal Law § 70.25(1)(a). (*See* Def.’s Letter at 1, Ex. B at 7.) The BOP, however, has refused to treat Defendant’s federal sentence as concurrent with his state sentences. (*See Id.*)

In light of my views expressed at sentencing, and that the Government has raised no objection to Defendant's request, (*see* Doc. 257), Defendant's letter motion is hereby GRANTED and this Court hereby recommends to the BOP that Defendant's federal sentence be concurrent with his state sentences. *See United States v. Pineyro*, 112 F.3d 43, 45 (2d Cir. 1997). The Government is requested to convey this recommendation to the BOP.

SO ORDERED.

Dated: October 14, 2021  
New York, New York

  
Vernon S. Broderick  
United States District Judge